



April 6, 2007

ENGROSSED SENATE BILL No. 310

DIGEST OF SB 310 (Updated April 4, 2007 2:52 pm - DI 51)

Citations Affected: IC 1-1.

Synopsis: Proof of mailing. Provides that if a law or a rule requires a mailing by registered mail or certified mail, a person may use any public or private method of delivery that: (1) tracks the delivery of mail; and (2) requires a signature upon delivery. Provides required notice procedures to follow if the mailed notice is returned undelivered.

Effective: July 1, 2007.

Hershman, Heinold
(HOUSE SPONSORS — GRUBB, BROWN T)

January 16, 2007, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

February 1, 2007, amended, reported favorably — Do Pass.

February 6, 2007, read second time, ordered engrossed.

February 7, 2007, engrossed.

February 12, 2007, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 6, 2007, read first time and referred to Committee on Interstate and International Cooperation.

April 5, 2007, amended, reported — Do Pass.

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ES 310—LS 6693/DI 73+



April 6, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 310

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 1-1-7-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2007]: Sec. 1. **(a)** If a statute enacted by the
3 general assembly or a rule, as defined by IC 4-22-2-3, requires that
4 notice or other matter be given or sent by registered mail **or certified**
5 **mail**, a person may use ~~certified mail as established by the United~~
6 ~~States Postal Service to comply with the law or rule; any public or~~
7 **private method of delivery that:**
8 **(1) tracks the delivery of mail; and**
9 **(2) requires a signature upon delivery;**
10 **to comply with the statute or rule.**
11 **(b) If a notice or other matter sent as described in subsection (a)**
12 **is returned undelivered, the notice or other matter must be given:**
13 **(1) by delivering a copy of the notice or other matter to the**
14 **person to whom the notice or other matter must be given**
15 **personally;**
16 **(2) by:**
17 **(A) leaving a copy of the notice or other matter at the**

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1 dwelling house or usual place of abode of the person to
2 whom the notice or other matter must be given; and
3 (B) sending by first class mail a copy of the notice or other
4 matter to the last known address of the person to whom the
5 notice or other matter must be given; or
6 (3) by serving the agent of the person to whom the notice or
7 other matter must be given as provided by rule, statute, or
8 valid agreement.

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SENATE MOTION

Madam President: I move that Senator Heinold be added as second author of Senate Bill 310.

HERSHMAN

 COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred Senate Bill No. 310, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 7, delete "by which proof of delivery may be established." and insert "**that:**

- (1) tracks the delivery of mail; and**
 - (2) requires a signature upon delivery;**
- to comply with the statute or rule."**

and when so amended that said bill do pass.

(Reference is to SB 310 as introduced.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 10, Nays 0.

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Interstate and International Cooperation, to which was referred Senate Bill 310, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 2, after "Sec. 1." insert "**(a)**".

Page 1, after line 10, begin a new paragraph and insert:

"(b) If a notice or other matter sent as described in subsection (a) is returned undelivered, the notice or other matter must be given:

- (1) by delivering a copy of the notice or other matter to the person to whom the notice or other matter must be given personally;**

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(2) by:

(A) leaving a copy of the notice or other matter at the dwelling house or usual place of abode of the person to whom the notice or other matter must be given; and

(B) sending by first class mail a copy of the notice or other matter to the last known address of the person to whom the notice or other matter must be given; or

(3) by serving the agent of the person to whom the notice or other matter must be given as provided by rule, statute, or valid agreement."

and when so amended that said bill do pass.

(Reference is to SB 310 as printed February 2, 2007.)

HARRIS E, Chair

Committee Vote: yeas 9, nays 0.

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